

**RESOLUTION NO. 2020-\_\_\_\_\_**

**RESOLUTION OF THE BOARD OF DIRECTORS  
OF THE EASTERN SIERRA COUNCIL OF GOVERNMENTS ANNOUNCING  
THE INTENT TO ADOPT AN INITIAL CONFLICT OF INTEREST CODE AND  
ESTABLISHING A COMMENT PERIOD THEREFOR**

**WHEREAS**, in accordance with state law, the Board of Directors of the Eastern Sierra Council of Governments (“ESCOG”) has determined that an initial Conflict of Interest Code should be adopted at this time; and

**WHEREAS**, in accordance with state law, ESCOG has prepared the attached Conflict of Interest Code and Notice of Intent; and

**WHEREAS**, state law requires ESCOG to provide a 45-day comment period before adopting the Conflict of Interest Code;

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Directors of ESCOG that the Conflict of Interest Code attached hereto as Exhibit A and incorporated herein by this reference is hereby preliminarily adopted.

**BE IT FURTHER RESOLVED**, that the mandatory 45-day comment period begins on May 16, 2020, and ends June 30, 2020.

**PASSED AND ADOPTED** this 15th day of May, 2020, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST: \_\_\_\_\_  
Secretary

\_\_\_\_\_  
Chairperson

# EXHIBIT A

**CONFLICT OF INTEREST CODE  
OF THE EASTERN SIERRA COUNCIL OF GOVERNMENTS**

SECTION 1: Conflict of Interest Code - Adopted.

The Political Reform Act, Government Code Section 81000 *et seq.*, requires state and local government agencies to adopt and promulgate Conflict of Interest Codes. The Fair Political Practices Commission has adopted a regulation, 2 Cal. Code Regs. Section 18730, which contains the terms of a standard Conflict of Interest Code. It can be incorporated by reference and may be amended by the Fair Political Practices Commission after public notice and hearings to conform to amendments in the Political Reform Act. Therefore, the terms of 2 Cal. Code of Regs. Section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference and, along with the attached Appendix A in which officials and employees are designated and Appendix B in which disclosure categories are set forth, constitute the Conflict of Interest Code of the Eastern Sierra Council of Governments, which is considered the “agency” within the purview of this Code.

SECTION 2: Statements of Economic Interest; Filing Officer.

Designated employees shall file Statements of Economic Interests with the Assistant Clerk of the Town of Mammoth Lakes, who shall be and perform the duties of Filing Officer for the Eastern Sierra Council of Governments.

**APPENDIX “A”**

LIST OF DESIGNATED EMPLOYEES

| <u>JOB TITLE</u>  | <u>DISCLOSURE CATEGORY</u> |
|-------------------|----------------------------|
| Director          | 1                          |
| Executive Manager | 1                          |
| Legal Counsel*    | 1                          |
| Staff Advisors**  | 1                          |
| Consultants***    | 1                          |

\* Legal Counsel means the Inyo County Counsel and/or such other legal counsel as the Eastern Sierra Council of Governments may choose to utilize.

\*\* “Staff Advisor” means any employee of Inyo County, Mono County, the City of Bishop, the Town of Mammoth Lakes, or other governmental agency, who acts as staff to the Eastern Sierra Council of Governments and who makes or participates in the making of the Eastern Sierra Council of Governments’ decisions.

\*\*\* “Consultant” means any individual or entity meeting the definition of consultant promulgated in regulations of the Fair Political Practices Commission. The Eastern Sierra Council of Governments Legal Counsel may determine in writing that a particular consultant, although a “designated employee,” is hired to perform a range of duties that is limited in scope and thus is not required to fully comply with the disclosure requirements described in this Appendix. Such written determination shall include a description of the consultant’s duties and, based upon that description, a statement of the extent of disclosure requirements. The Legal Counsel’s determination is a public record and shall be retained for public inspection in the same manner and location as this Conflict of Interest Code.

## APPENDIX “B”

### LIST OF DISCLOSURE CATEGORIES

#### Disclosure category

- 1 Full Disclosure: Designated employees in this category are treated as mandated/statutory filers and thus must report all reportable interests in real property within the Eastern Sierra Council of Governments’ jurisdiction, as well as reportable investments, business positions and sources of income, including gifts, loans and travel payments.
- 2 Full Disclosure Excluding Real Property Interests: Designated employees in this category must report all reportable investments, business positions and sources of income, including gifts, loans and travel payments.
- 3 Interests in Real Property: Designated employees in this category must report all reportable interests in real property within the Eastern Sierra Council of Governments’ jurisdiction.
- 4 General Contracting For Entire Council: Designated employees in this category must report all reportable investments, business positions and income, including gifts, loans and travel payments, from sources that provide leased facilities, goods, equipment, vehicles, machinery or services, including training or consulting fees, of the type utilized by the Eastern Sierra Council of Government.